IN THE CLAIMS:

Please cancel claims 1, 9 - 15, 30, and 37. Claim 55 have been added.

Claims 6, 34, 42, 44, 46, 47, and 50 - 54 have been amended, as follows:

Claim 1 (cancelled).

2. (previously presented) The system of claim 52, wherein the media content file is a music file.

3. (previously presented) The system of claim 52, wherein a rate at which the processing module modifies the preference profile is configurable.

4. (previously presented) The system of claim 52, wherein the preference detection computer system determines the length based on user's responses made with a user control point.

5. (Original) The system of claim 4, wherein the user control point is a remote control.

6. (currently amended) The system according to claim 52, wherein the second media content file is sent to the user computing device via an Internet stream.

7. (previously presented) The system of claim 52, wherein the processing module periodically selects testing media content files to distribute to the user, wherein the testing media content files are randomly selected to test whether the user's media content file preferences have changed.

8. (previously presented) The system of claim 52, wherein the processing module further modifies the preference profile based on responses of other users having similar media preferences.

Claims 9 - 30 (cancelled).

31.   (previously presented) The method of claim 53, wherein the media content file is a music file.

32.   (previously presented) The method of claim 53, wherein a rate at which the preference profile is modified is configurable.

33.   (previously presented) The method of claim 53, further including determining the length based on the user's responses made with a user control point.

34.   (currently amended) The method according to claim 53, further including sending the <u>second</u> media content file to the user <u>computing device</u> via an Internet stream.

35.   (previously presented) The method of claim 53, further including periodically selecting testing media content files to distribute to the user, wherein the testing media content files are randomly selected to test whether the user's media content file preferences have changed.

36.   (previously presented) The method of claim 53, further including modifying the preference file based on responses of other users having similar media preferences.

Claim 37. (cancelled).

38.   (previously presented) The article of claim 54, wherein media content file is a music file.

39.   (previously presented) The article of claim 54, wherein a rate at which the preference profile is modified is configurable.

40.   (previously presented) The article of claim 54, wherein the instructions further result in determining the length based on the user's responses made with a user control point.

41.   (currently amended) The article of claim 54, wherein the instructions further result in sending the <u>second</u> media content file to the user <u>computing device</u> via an Internet stream.

42.   (previously presented) The article of claim 54, wherein the instructions further result in periodically selecting testing media content files to distribute to the user, the testing media content files being randomly selected to test whether the user's media content file preferences have changed.

43.   (previously presented) The article of claim 54, wherein the instructions further result in modifying the preference profile based on responses of other users. having similar media preferences.

44.   (currently amended) ~~The automatic user preference detection system according to claim 52,~~ <u>An automatic user preference detection computer system, comprising:</u>

<u>a preference determination module, independent of a user computing device, to determine a preference profile for a user of a media content distribution source, the preference profile being based on previously determined media scores for the user and local media content files determined by scanning a disk drive of the user computing device to determine the local media content files stored on the user computing device;</u>

<u>a database, independent of the user computing device, to store the preference profile for the user of the media content file distribution source;</u>

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a score calculation module, independent of the user computing device, to

determine a score for a media content file distributed to the user by the media content

file distribution source, wherein the score is calculated based on a comparison of a

length of time in which the user allows the media content file to be played at the user

computing device relative to a total length of the media content file; and

a processing module, independent of the user computing device, to modify the

preference profile based on the score to create a new preference profile, wherein the

processing module further selects a second media content file to distribute to the user

based on the new preference profile,

wherein the score calculation module stops calculating the score for succeeding

media content files after a predetermined length of time if the user allows multiple

media content files to be played in their entirety by not pressing a media control point.

Claim 45 (cancelled).

46.   (currently amended)~~The method according to claim 53,~~ A method of

automatically detecting media content preferences, comprising:

storing a preference profile for a user of a media content file distribution source

at the media content file distribution source which is independent of a user computing

device, the preference profile being based on previously determined media scores for

the user and media content files of the user computing device determined by scanning

a disk drive of the user computing device;

determining a score, at a preference processing subsystem independent of the

user computing device, for a media content file distributed to the user by the media

content file distribution source, wherein the score is calculated based on a comparison

of a length of time in which the user allows the media content file to be played at the user computing device relative to a total length of the media content file;

modifying the preference profile, at the preference processing subsystem independent of the user computing device, based on the score to create a modified preference profile; and

selecting, at the preference processing subsystem independent of the user computing device, a second media content file to distribute to the user based on the modified preference profile,

wherein the score calculation module stops calculating the score for succeeding media content files after a predetermined length of time if the user allows multiple media content files to be played in their entirety by not pressing a media control point.

47. (currently amended) ~~The article according to claim 54,~~ An article comprising a storage medium having stored thereon instructions that when executed by a machine result in the following:

storing a preference profile for a user of a media content file distribution source at the media content file distribution source which is independent of a user computing device, the preference profile being based on previously determined media scores for the user and media content files of the user computing device determined by scanning a disk drive of the user computing device;

determining a score for a media content file, at a preference processing subsystem independent of the user computing device, distributed to the user by the media content file distribution source, wherein the score is calculated based on a comparison of a length of time in which the user allows the media content file to be

played at the user computing device relative to a total length of the media content file;

modifying the preference profile, at the preference processing subsystem independent of the user computing device, based on the score to create a modified preference profile; and

selecting a second media content file, at the preference processing subsystem of the user computing device, to distribute to the user based on the modified preference profile,

wherein the score calculation module stops calculating the score for succeeding media content files after a predetermined length of time if the user allows multiple media content files to be played in their entirety by not pressing a media control point.

Claims 48 and 49 (cancelled).

50. (currently amended) ~~The automatic user preference detection system of~~ ~~claim 52,~~ An automatic user preference detection computer system, comprising:

a preference determination module, independent of a user computing device, to determine a preference profile for a user of a media content distribution source, the preference profile being based on previously determined media scores for the user and local media content files determined by scanning a disk drive of the user computing device to determine the local media content files stored on the user computing device;

a database, independent of the user computing device, to store the preference profile for the user of the media content file distribution source;

a score calculation module, independent of the user computing device, to determine a score for a media content file distributed to the user by the media content file distribution source, wherein the score is calculated based on a comparison of a

length of time in which the user allows the media content file to be played at the user

computing device relative to a total length of the media content file; and

a processing module, independent of the user computing device, to modify the

preference profile based on the score to create a new preference profile, wherein the

processing module further selects a second media content file to distribute to the user

based on the new preference profile,

wherein the score for the media content file is stored in a temporary storage file

and if the user allows multiple media content files to be played, in their entirety, for a

predetermined length of time by not pressing a media control point, the score for the

media content file is not moved to a permanent storage file.

51. (currently amended) An automatic user preference detection computer

system, comprising:

a preference determination module, independent of a user computing device, to

create an initial preference profile for a user of a media content distribution source, the

preference profile being based on the user's answers to preliminary questions

submitted to the automatic user preference detection system and a determination of

local media content files stored on the user computing device, wherein the

determination of the local media content files stored on the user device determined

when the preference determination module scans a disk drive of the user computing

device;

a database, independent of the user computing device, to store the initial

preference profile for the user of the media content file distribution source; and

a processing module, independent of the user computing device, to select a

media content file to distribute to the user based on the initial preference profile <u>and a time of year</u>.

52. (currently amended) An automatic user preference detection computer system, comprising:

a preference determination module, independent of a user computing device, to determine a preference profile for a user of a media content distribution source, the preference profile being based on previously determined media scores for the user and local media content files determined by <u>the preference determination module</u> scanning a disk drive of the user computing device to determine the local media content files stored on the user computing device;

a database, independent of the user computing device, to store the preference profile for the user of the media content file distribution source;

a score calculation module, independent of the user computing device, to determine a score for a media content file distributed to the user by the media content file distribution source, wherein the score is calculated based on a comparison of a length of time in which the user allows the media content file to be played at the user computing device relative to a total length of the media content file; and

a processing module, independent of the user computing device, to modify the preference profile based on the score to create a new preference profile, wherein the processing module further selects a second media content file to <u>transmit individually</u> ~~distribute~~ to the user <u>computing device</u> based on the new preference profile.

53. (currently amended) A method of automatically detecting media content preferences, comprising:

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storing a preference profile for a user of a media content file distribution source at the media content file distribution source which is independent of a user computing device, the preference profile being based on previously determined media scores for the user and media content files of the user computing device determined by scanning a disk drive of the user computing device <u>by a preference determination module located at the media distribution source</u>;

determining a score, at a preference processing subsystem independent of the user computing device, for a media content file distributed to the user by the media content file distribution source, wherein the score is calculated based on a comparison of a length of time in which the user allows the media content file to be played at the user computing device relative to a total length of the media content file;

modifying the preference profile, at the preference processing subsystem independent of the user computing device, based on the score to create a modified preference profile; and

selecting, at the preference processing subsystem independent of the user computing device, a second media content file to <u>be</u> distribut<u>ed individually</u> to the user <u>computing device</u> based on the modified preference profile.

54. (currently amended) An article comprising a storage medium having stored thereon instructions that when executed by a machine result in the following:

storing a preference profile for a user of a media content file distribution source at the media content file distribution source which is independent of a user computing device, the preference profile being based on previously determined media scores for the user and media content files of the user computing device determined by <u>a</u>

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preference determination module located at the media distribution source scanning a disk drive of the user computing device;

determining a score for a media content file, at a preference processing subsystem independent of the user computing device, distributed to the user by the media content file distribution source, wherein the score is calculated based on a comparison of a length of time in which the user allows the media content file to be played at the user computing device relative to a total length of the media content file;

modifying the preference profile, at the preference processing subsystem independent of the user computing device, based on the score to create a modified preference profile; and

selecting a second media content file, at the preference processing subsystem of the user computing device, to distribute individually to the user computing device based on the modified preference profile.

55. (new) The automatic user preference detection computer system of claim 51, wherein the selection of the media content file to distribute to the user is based on the initial preference profile and a time of the week, such as a night of a week.

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